



State of California—Health and Human Services Agency
Department of Health Services



ARNOLD SCHWARZENEGGER
Governor

August 29, 2005

Letter No.: 05-29

**TO: ALL COUNTY WELFARE DIRECTORS
ALL COUNTY ADMINISTRATIVE OFFICERS
ALL COUNTY MEDI-CAL PROGRAM SPECIALISTS/LIAISONS
ALL COUNTY HEALTH EXECUTIVES
ALL COUNTY MENTAL HEALTH DIRECTORS**

**SUBJECT: INCOME AND PROPERTY EXEMPTION FOR PAYMENTS MADE
UNDER THE IN-HOME SUPPORTIVE SERVICES
INDEPENDENCE PLUS 1115 DEMONSTRATION PROJECT
(RE: All County Welfare Directors Letter Number 05-21)**

The purpose of this letter is to inform counties of income and property exemptions under all Medi-Cal programs for payments made under the In-Home Supportive Services Independence Plus 1115 Demonstration Project (IHSS Plus Waiver). The exempt payments include caregiver wages that are being paid to a parent of an IHSS Plus Waiver minor child recipient for services provided to that child, or a spouse of an IHSS Plus Waiver recipient for service provided to that recipient, restaurant meal allowances, and the advance payments made to IHSS Plus recipients to pay their caregivers directly for services provided under IHSS Plus.

BACKGROUND

The IHSS Plus Waiver was implemented August 1, 2004. It is a federal waiver that provides in-home services to federally funded full-scope Medi-Cal recipients that were previously provided through the IHSS Residual program. In its approval letter to the Department of Health Services (DHS), the Centers for Medicare and Medicaid Services provided authority for the DHS to exempt payments made under the waiver from consideration as income or property under all of the State's Medi-Cal programs.

August 28, 2005

The effective date of these exempt payments shall be August 1, 2004. DHS knows of no instances where individuals have been injured as a result of the delay in implementing these exemptions. However, if a county becomes aware of any case that was denied or discontinued as a result of such payments, or where the share of cost (SOC) was erroneously calculated, the county shall rescind the erroneous Notice of Action and reinstate the case and/or retroactively calculate the SOC as appropriate.

Counties can identify IHSS Plus Waiver payments either by contacting county IHSS staff or, when available on Medi-Cal Eligibility Data System (MEDS), by the aid code 2L on MEDS, Special Program Screen of the IHSS Plus Waiver recipient.

If you have any questions regarding this letter, contact Ms. Vicki Partington at (916) 552-9496 or e-mail Vparting@dhs.ca.gov.

Original signed by

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Medi-Cal Eligibility Branch